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TAGS: [KTIP](#) [ELAB](#) [KCRM](#) [KPAO](#) [KWMN](#) [PGOV](#) [PHUM](#) [PREL](#) [SMIG](#) [SG](#)
SUBJECT: SENEGAL -- 2009 TIP REPORT: PRESS GUIDANCE AND
DEMARCHE

REF: A. (A) STATE 59732
[B.](#) (B) STATE 005577

¶1. This is an action cable; see paras 5 through 7 and 10.

¶2. On June 16, 2009, at 10:00 a.m. EDT, the Secretary will release the 2009 Trafficking in Persons (TIP) Report at a press conference in the Department's press briefing room. This release will receive substantial coverage in domestic and foreign news outlets. Until the time of the Secretary's June 16 press conference, any public release of the Report or country narratives contained therein is prohibited.

¶3. The Department is hereby providing Post with advance press guidance to be used on June 16 or thereafter. Also provided is demarche language to be used in informing the Government of Senegal of its tier ranking and the TIP Report's imminent release. The text of the TIP Report country narrative is provided, both for use in informing the Government of Senegal and in any local media release by Post's public affairs section on June 16 or thereafter. Drawing on information provided below in paras 8 and 9, Post may provide the host government with the text of the TIP Report narrative no earlier than 1200 noon local time Monday June 15 for WHA, AF, EUR, and NEA countries and OOB local time Tuesday June 16 for SCA and EAP posts. Please note, however, that any public release of the Report's information should not/not precede the Secretary's release at 10:00 am EDT on June 16.

¶4. The entire TIP Report will be available on-line at www.state.gov/g/tip shortly after the Secretary's June 16 release. Hard copies of the Report will be pouched to posts in all countries appearing on the Report. The Secretary's statement at the June 16 press event, and the statement of and fielding of media questions by G/TIP's Director and Senior Advisor to the Secretary, Ambassador-at-Large Luis CdeBaca, will be available on the Department's website shortly after the June 16 event. Ambassador de Baca will also hold a general briefing for officials of foreign embassies in Washington DC on June 17 at 3:30 pm EDT.

¶5. Action Request: No earlier than 12 noon local time on Monday June 15 for WHA, AF, EUR, and NEA posts and OOB local time on Tuesday June 16 for SCA and EAP posts, please inform the appropriate official in the Government of Senegal of the June 16 release of the 2009 TIP Report, drawing on the points in para 9 (at Post's discretion) and including the text of the country narrative provided in para 8. For countries where the State Department has lowered the tier ranking, it is particularly important to advise governments prior to the Report being released in Washington on June 16.

¶6. Action Request continued: Please note that, for those countries which will not receive an "action plan" with specific recommendations for improvement, posts should draw host governments' attention to the areas for improvement identified in the 2009 Report, especially highlighted in the "Recommendations" section of the second paragraph of the narrative text. This engagement is important to establishing the framework in which the government's performance will be

judged for the 2010 Report. If posts have questions about which governments will receive an action plan, or how they may follow up on the recommendations in the 2009 Report, please contact G/TIP and the appropriate regional bureau.

¶7. Action Request continued: On June 16, please be prepared to answer media inquiries on the Report's release using the press guidance provided in para 11. If Post wishes, a local press statement may be released on or after 10:30 am EDT June 16, drawing on the press guidance and the text of the TIP Report's country narrative provided in para 8.

¶8. Begin Final Text of Senegal's country narrative in the 2009 TIP Report:

Senegal (TIER 2 Watch List)

Senegal is a source, transit, and destination country for children and women trafficked for the purposes of forced labor and commercial sexual exploitation. Trafficking within the country is more prevalent than trans-border trafficking and the majority of victims are children. Within Senegal, religious teachers traffic boys, called talibe, by promising to educate them, but subjecting them instead to forced begging and physical abuse. A 2007 study done by UNICEF, the ILO and the World Bank found that 6,480 talibe were forced to beg in Dakar alone. Women and girls are trafficked for domestic servitude and commercial sexual exploitation -- including exploitation by foreign sex tourists -- within Senegal. Children are also trafficked for forced labor in gold mines within Senegal. Transnationally, boys are trafficked to Senegal from The Gambia, Mali, Guinea-Bissau, and Guinea for forced begging by religious teachers. Senegalese children are trafficked to Mali, Guinea, and possibly other West African countries for forced labor in gold mines. Senegalese women and girls are trafficked to neighboring countries, the Middle East, and Europe for domestic servitude and possibly for sexual exploitation. Women and girls from other West African countries, particularly Liberia, Ghana, Sierra Leone, and Nigeria may be trafficked to Senegal for sexual exploitation, including for sex tourism.

The Government of Senegal does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so, despite limited resources. The government continued to demonstrate a strong commitment to protecting child trafficking victims during the year by providing them with shelter, rehabilitation and reintegration services. Despite these overall significant efforts, the government did not show progress in prosecuting, convicting, and punishing trafficking offenders over the last year; therefore, Senegal is placed on Tier 2 Watch List.

Recommendations for Senegal: Intensify efforts to prosecute and convict trafficking offenders; ensure that the Ministry of Interior's Special Commissariat Against Sex Tourism and the Tourism Ministry's sex tourism police unit arrest suspected sex tourists and rescue their victims; and increase efforts to raise awareness about trafficking.

Prosecution

The Government of Senegal demonstrated insufficient anti-trafficking law enforcement efforts during the year. Senegal prohibits all forms of trafficking through its 2005 Law to Combat Trafficking in Persons and Related Practices and to Protect Victims. The law's prescribed penalties of five to 10 years, imprisonment for all forms of trafficking are sufficiently stringent and commensurate with penalties prescribed for rape. The government reported that it arrested two religious teachers for abusing boys they had trafficked for forced begging. The government did not report any additional arrests, prosecutions, or convictions of trafficking offenses. During the year, the Ministry of Justice's Center for Judicial Training conducted a UNICEF-funded training for police, gendarmerie, and

immigration officials to educate them about trafficking. Although the government in 2007 activated two special police units to combat child sex tourism, one within the Interior Ministry and the other within the Tourism Ministry, these units did not report any law enforcement actions against foreign pedophiles. The Ministry of the Interior, through its Bureau of Investigations, continued to work with Interpol to monitor immigration and emigration patterns for evidence of trafficking.

Protection

The Government of Senegal sustained solid efforts to protect trafficking victims over the last year. The government continued to operate the Ginndi Center, its shelter for destitute children, including trafficking victims. While the Family Ministry, which funds and operates the Center with support from international donors, began using a donor-funded computerized database to track trafficking victims in 2006, the center recently stopped using the database due to lack of funds. The center, which has the capacity to house 60 children at a time, assisted 949 foreign and Senegalese destitute children, including trafficking victims, over the last year. With international organization and NGO assistance, 807 children were reunited with their families and 69 were trained in vocational centers located in the Ginndi center. The government also continued to operate its free child protection hotline out of the Ginndi Center. In the last year, the hotline received 17,501 calls, though it is not known how many of these calls related to human trafficking. The government also sometimes referred trafficking victims to NGOs for care on an ad hoc basis. The government espoused a policy of encouraging victims to assist in trafficking investigations or prosecutions in part by permitting closed door victim testimonies during trafficking prosecutions. The government did not report, however, that it encouraged any victims to assist in prosecutions during the last year. The government provided legal alternatives to the removal of foreign victims to countries where they faced hardship or retribution. Trafficking victims had the option of remaining temporarily or permanently in Senegal under the status of resident or refugee. Victims were not inappropriately incarcerated or fined for unlawful acts committed as a direct result of being trafficked.

Prevention

The Government of Senegal made modest efforts to raise awareness about trafficking during the reporting period. As part of its program against the worst forms of child labor, the Family Ministry continued to conduct donor-funded workshops and roundtables in Mbour, Dakar and other areas of the country to raise awareness about forced child begging, child domestic servitude, and child prostitution. In 2008, the Family Ministry collaborated with the ILO and the Governments of Mali, Cote d'Ivoire, Guinea-Bissau, Guinea, and Burkina Faso to implement a 12-month regional anti-trafficking project. The project collected information on the parameters of regional trafficking and organized donor-funded anti-trafficking workshops for 60 police, gendarmerie, and customs officials from the participating countries. In December 2008, project participants released a document listing 68 best practices to combat trafficking in the region. The government did not take steps to reduce demand for commercial sex acts in Senegal. The government did not take measures to ensure that its nationals who are deployed abroad as part of peacekeeping missions do not engage in or facilitate trafficking.

¶9. Post may wish to deliver the following points, which offer technical and legal background on the TIP Report process, to the host government as a non-paper with the above TIP Report country narrative:

(begin non-paper)

-- The U.S. Congress, through its passage of the 2000 Trafficking Victims Protection Act, as amended (TVPA),

requires the Secretary of State to submit an annual Report to Congress. The goal of this Report is to stimulate action and create partnerships around the world in the fight against modern-day slavery. The USG approach to combating human trafficking follows the TVPA and the standards set forth in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (commonly known as the "Palermo Protocol"). The TVPA and the Palermo Protocol recognize that this is a crime in which the victims, labor or services (including in the "sex industry") are obtained or maintained through force, fraud, or coercion, whether overt or through psychological manipulation. While much attention has focused on international flows, both the TVPA and the Palermo Protocol focus on the exploitation of the victim, and do not require a showing that the victim was moved.

-- Recent amendments to the TVPA removed the requirement that only countries with a "significant number" of trafficking victims be included in the Report. Beginning with the 2009 TIP Report, countries determined to be a country of origin, transit, or destination for victims of severe forms of trafficking are included in the Report and assigned to one of three tiers. Countries assessed as meeting the "minimum standards for the elimination of severe forms of trafficking" set forth in the TVPA are classified as Tier 1. Countries assessed as not fully complying with the minimum standards, but making significant efforts to meet those minimum standards are classified as Tier 2. Countries assessed as neither complying with the minimum standards nor making significant efforts to do so are classified as Tier 3.

-- The TVPA also requires the Secretary of State to provide a "Special Watch List" to Congress later in the year. Anti-trafficking efforts of the countries on this list are to be evaluated again in an Interim Assessment that the Secretary of State must provide to Congress by February 1 of each year. Countries are included on the "Special Watch List" if they move up in "tier" rankings in the annual TIP Report -- from 3 to 2 or from 2 to 1) or if they have been placed on the Tier 2 Watch List.

-- Tier 2 Watch List consists of Tier 2 countries determined: (1) not to have made "increasing efforts" to combat human trafficking over the past year; (2) to be making significant efforts based on commitments of anti-trafficking reforms over the next year, or (3) to have a very significant number of trafficking victims or a significantly increasing victim population. As indicated in reftel B, the TVPRA of 2008 contains a provision requiring that a country that has been included on Tier 2 Watch List for two consecutive years after the date of enactment of the TVPRA of 2008 be ranked as Tier 13. Thus, any automatic downgrade to Tier 3 pursuant to this provision would take place, at the earliest, in the 2011 TIP Report (i.e., a country would have to be ranked Tier 2 Watch List in the 2009 and 2010 Reports before being subject to Tier 3 in the 2011 Report). The new law allows for a waiver of this provision for up to two additional years upon a determination by the President that the country has developed and devoted sufficient resources to a written plan to make significant efforts to bring itself into compliance with the minimum standards.

-- Countries classified as Tier 3 may be subject to statutory restrictions for the subsequent fiscal year on non-humanitarian and non-trade-related foreign assistance and, in some circumstances, withholding of funding for participation by government officials or employees in educational and cultural exchange programs. In addition, the President could instruct the U.S. executive directors to international financial institutions to oppose loans or other utilization of funds (other than for humanitarian, trade-related or certain types of development assistance) with respect to countries on Tier 3. Countries classified as Tier 3 that take strong action within 90 days of the Report's release to show significant efforts against trafficking in persons, and thereby warrant a reassessment of their Tier

classification, would avoid such sanctions. Guidelines for such actions are in the DOS-crafted action plans to be shared by Posts with host governments.

-- The 2009 TIP Report, issuing as it does in the midst of the global financial crisis, highlights high levels of trafficking for forced labor in many parts of the world and systemic contributing factors to this phenomenon: fraudulent recruitment practices and excessive recruiting fees in workers, home countries; the lack of adequate labor protections in both sending and receiving countries; and the flawed design of some destination countries, "sponsorship systems" that do not give foreign workers adequate legal recourse when faced with conditions of forced labor. As the May 2009 ILO Global Report on Forced Labor concluded, forced labor victims suffer approximately \$20 billion in losses, and traffickers, profits are estimated at \$31 billion. The current global financial crisis threatens to increase the number of victims of forced labor and increase the associated "cost of coercion."

-- The text of the TVPA and amendments can be found on website www.state.gov/g/tip.

-- On June 16, 2009, the Secretary of State will release the ninth annual TIP Report in a public event at the State Department. We are providing you an advance copy of your country's narrative in that report. Please keep this information embargoed until 10:00 am Washington DC time June 16. The State Department will also hold a general briefing for officials of foreign embassies in Washington DC on June 17 at 3:30 pm EDT.

(end non-paper)

¶10. Posts should make sure that the relevant country narrative is readily available on or though the Mission's web page in English and appropriate local language(s) as soon as possible after the TIP Report is released. Funding for translation costs will be handled as it was for the Human Rights Report. Posts needing financial assistance for translation costs should contact their regional bureau's EX office.

¶11. The following is press guidance provided for Post to use with local media.

Q1: Why has Senegal been downgraded to Tier 2 Watch List?

A: The Government of Senegal does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so, despite limited resources. The government continued to demonstrate a strong commitment to protecting child trafficking victims during the year by providing them with shelter, rehabilitation and reintegration services. Despite these overall significant efforts, the government did not show progress in prosecuting, convicting, and punishing trafficking offenders over the last year; therefore, Senegal is placed on Tier 2 Watch List.

Q2: What progress has Senegal made in the last year?

A: The government reported that it arrested two religious teachers for abusing boys they had trafficked for forced begging. During the year, the Ministry of Justice's Center for Judicial Training conducted a UNICEF-funded training for police, gendarmerie, and immigration officials to educate them about trafficking. The government continued to operate the Ginndi Center, its shelter for destitute children, including trafficking victims. The center, which has the capacity to house 60 children at a time, assisted 949 foreign and Senegalese destitute children, including trafficking victims, over the last year. With international organization and NGO assistance, 807 children were reunited with their families and 69 were trained in vocational centers located in the Ginndi center. The government also continued to operate

its free child protection hotline out of the Ginndi Center. In the last year, the hotline received 17,501 calls.

Q2: How can Senegal further the fight against trafficking in persons?

A: Intensify efforts to prosecute and convict trafficking offenders; ensure that the Ministry of Interior's Special Commissariat Against Sex Tourism and the Tourism Ministry's sex tourism police unit arrest suspected sex tourists and rescue their victims; and increase efforts to raise awareness about trafficking.

¶12. The Department appreciates posts, assistance with the preceding action requests.

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